

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ANTONIO BLACK,

Petitioner,

vs.

Case No. 3:02cv515

WARDEN, MANSFIELD CORRECTIONAL INSTITUTION,

JUDGE WALTER HERBERT RICE

Defendant.

DECISION AND ENTRY ADOPTING INITIAL (DOC. #11) AND SUPPLEMENTAL (DOC. #14) REPORTS AND RECOMMENDATIONS OF UNITED STATES MAGISTRATE JUDGE; PETITIONER'S OBJECTIONS TO SAID JUDICIAL FILING (DOCS. #13 AND #15) OVERRULED; JUDGMENT TO ENTER IN FAVOR OF RESPONDENT AND AGAINST PETITIONER, DENYING PETITION FOR WRIT OF HABEAS CORPUS AS BARRED BY THE APPLICABLE STATUTE OF LIMITATIONS; CERTIFICATE OF APPEALABILITY AND ANTICIPATED REQUEST FOR LEAVE TO APPEAL *IN FORMA PAUPERIS* DENIED; TERMINATION ENTRY

Based upon the reasoning and citations of authority set forth by the United States Magistrate Judge in his Initial (Doc. #11) and Supplemental (Doc. #14) Reports and Recommendations, as well as upon a thorough, *de novo* review of this Court's file and the applicable law, said Reports and Recommendations are adopted in their entirety. The Petitioner's Objections to said judicial filings (Docs. #13 and #15) are overruled. Judgment will be ordered entered in favor of the Respondent

and against Petitioner herein, dismissing, with prejudice, the Petitioner's Petition for Writ of Habeas Corpus, as barred by the applicable statute of limitations.

Given that the Petitioner has failed to make a substantial showing of the denial of a constitutional right and, further, given that this Court's decision is not debatable among jurists of reason, the Court denies the Petitioner both a Certificate of Appealability and an anticipated request for leave to appeal *in forma pauperis*.

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

/s/ Walter Herbert Rice

March 24, 2006

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies mailed to:

Antonio Black, Pro Se
Bruce D. Horrigan, Esq.

WHR:slc